

## SENATE JOINT RESOLUTION NO. 7

INTRODUCED BY WEINBERG, BARKUS

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA RECOGNIZING THE IMPORTANCE OF THE TRANSBOUNDARY REGION OF THE FLATHEAD LAKE AND RIVER DRAINAGE; URGING THAT THE GOVERNOR OF MONTANA ~~TO~~ NEGOTIATE AN OPERATING AGREEMENT WITH THE GOVERNMENT OF BRITISH COLUMBIA; AND URGING THAT ~~A~~ THE INTERNATIONAL JOINT COMMISSION CONDUCT AND COMPLETE AN ENVIRONMENTAL ASSESSMENT ~~BE CONDUCTED BY THE INTERNATIONAL JOINT COMMISSION~~ PRIOR TO A FINAL DECISION ON COAL BED METHANE AND OTHER HYDROCARBON DEVELOPMENT IN ~~BRITISH COLUMBIA~~ THE VALLEY OF THE FLATHEAD RIVER AND CRITICAL ADJACENT ENVIRONS.

WHEREAS, the people of Montana are grateful to God for the quiet beauty of our state, the grandeur of our mountains, THE CLARITY OF OUR SKIES, and the purity of our water; and

WHEREAS, Montana has recognized that all persons are endowed with the inalienable right to a clean and healthful environment; and

WHEREAS, the Flathead river system and Flathead Lake contain some of the most pure water in Montana, THE NATION, and the world ~~and remain in the essentially pristine state found at the time of creation~~; and

WHEREAS, the ~~transboundary~~ Flathead region ~~has been internationally~~ IS recognized NATIONALLY AND INTERNATIONALLY for its unique AND INVALUABLE attributes and characteristics as evidenced by the establishment of Waterton-Glacier International Peace Park; THE GREAT BEAR, BOB MARSHALL, AND MISSION MOUNTAINS WILDERNESS; THE WILD AND SCENIC FLATHEAD RIVER SYSTEM; and the International Biosphere Reserves; and

~~WHEREAS, the Elk and Wigwam Rivers in British Columbia are important tributaries of Lake Kootenai and are important spawning habitat for native trout that occupy transboundary waters; and~~

WHEREAS, the long-term economic vitality of northwestern Montana depends IN SIGNIFICANT MEASURE on ~~maintaining our~~ PRESERVING world-class waters, fish, wildlife, CLEAN AND CLEAR AIR, and recreational opportunities; and

~~WHEREAS, Montana recognizes that the transboundary Flathead water has special significance to the heritage, culture, and faith of First Nations Canadians and Native Americans; and~~

WHEREAS, Montana recognizes the sovereign right of Canada and the Province of British Columbia

1 to govern their territory and also recognizes that with rights come attendant responsibilities; and

2 WHEREAS, Montana supports responsible energy extraction, including coal bed methane development  
3 MINING AND EXTRACTION OF HYDROCARBONS, INCLUDING COAL, COAL BED METHANE, OIL, AND NATURAL GAS, where it  
4 can be ensured that there will be no UNACCEPTABLE adverse environmental impacts; and

5 WHEREAS, resolutions of the Legislature in 1975 and 1989 called on British Columbia to take every  
6 possible precaution to prevent the degradation of NOT TO DEGRADE THE air and water in the Flathead drainage;  
7 and

8 WHEREAS, on the 15th day of September 2003 the Governor of Montana and the Premier of British  
9 Columbia signed a historic environmental cooperation arrangement pledging mutual cooperation and  
10 understanding in transboundary issues and requiring a further operating agreement and action plan to be  
11 negotiated to implement the agreement; and

12 WHEREAS, ~~coal bed methane development in southeastern British Columbia is an imminent possibility~~  
13 ~~even though there has never been a complete environmental assessment, documentation of baseline conditions,~~  
14 ~~or a comprehensive analysis of the impacts of that development on both sides of the border~~ NEW PROPOSALS FOR  
15 COAL AND COAL BED METHANE DEVELOPMENT IN THE FLATHEAD VALLEY AND CRITICAL ADJACENT ENVIRONS IN BRITISH  
16 COLUMBIA ARE IMMINENT POSSIBILITIES; and

17 WHEREAS, THERE HAS NOT BEEN A COMPLETE ENVIRONMENTAL ASSESSMENT OF THE IMPACTS OF NEW COAL  
18 FIELD DEVELOPMENT ON THE VALLEY OF THE NORTH FORK OF THE FLATHEAD RIVER AND CRITICAL ADJACENT ENVIRONS;  
19 AND

20 WHEREAS, former Governor Judy Martz and the Montana Congressional Delegation have all requested  
21 THAT a comprehensive environmental assessment BE COMPLETED prior to coal bed methane gas drilling  
22 DEVELOPMENT in the Canadian headwaters of ~~Montana rivers~~ THE FLATHEAD RIVER; and

23 WHEREAS, the International Joint Commission has expressed its readiness to assist the U.S. and  
24 Canadian governments in preventing transboundary AND RESOLVING environmental disputes in the ~~Flathead and~~  
25 ~~Kootenai watersheds~~ TRANSBOUNDARY AREAS ADDRESSED IN THIS RESOLUTION.

26  
27 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF  
28 THE STATE OF MONTANA:

29 That the Governor of Montana be urged to negotiate an operating agreement with the Premier of British  
30 Columbia implementing THAT IMPLEMENTS IN A MEANINGFUL AND MEASURABLE MANNER the 2003 environmental

1 cooperation arrangement to resolve transboundary issues.

2 BE IT FURTHER RESOLVED, ~~that a complete environmental assessment is urged to be conducted by~~  
3 ~~the International Joint Commission prior to a final decision on coal bed methane leasing and development in~~  
4 ~~transboundary watersheds of British Columbia and Montana~~ THAT THE LEGISLATURE OF THE STATE OF MONTANA  
5 URGES THAT THE INTERNATIONAL JOINT COMMISSION CONDUCT A COMPREHENSIVE ENVIRONMENTAL ASSESSMENT OF  
6 THE IMPACTS OF DEVELOPING HYDROCARBON RESOURCES ON THE TRANSBOUNDARY RESOURCES AND WATERS OF THE  
7 VALLEY OF THE NORTH FORK OF THE FLATHEAD RIVER AND CRITICAL ADJACENT ENVIRONS PRIOR TO A FINAL DECISION  
8 ON WHETHER OR NOT TO APPROVE HYDROCARBON DEVELOPMENT AND IN PARTICULAR COAL MINES AND COAL BED  
9 METHANE IN THESE TRANSBOUNDARY AREAS.

10 - END -